

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: INVASIVE SPECIES SUB-COMMITTEE

DATE: JANUARY 10, 2014

COMMITTEE MEMBERS PRESENT: OTHERS PRESENT:

SUPERVISORS DICKINSON
 CONOVER
 MONROE
 FRASIER
 BEATY
 SIMPSON
 STROUGH

KEVIN B. GERAGHTY, CHAIRMAN OF THE BOARD
PAUL DUSEK, COUNTY ADMINISTRATOR
MARTIN AUFFREDOU, COUNTY ATTORNEY
JOAN SADY, CLERK OF THE BOARD
FRANK E. THOMAS, BUDGET OFFICER
SUPERVISORS MERLINO
 SEEBER
 SOKOL
 TAYLOR
 WOOD
MICHAEL SWAN, COUNTY TREASURER
GRETCHEN STEFFAN, COUNTY HUMAN RESOURCES DIRECTOR
DAVE DECKER, EXECUTIVE DIRECTOR, LAKE GEORGE WATERSHED
COALITION
DAVE WICK, EXECUTIVE DIRECTOR, LAKE GEORGE PARK COMMISSION
WALT LENDER, EXECUTIVE DIRECTOR, LAKE GEORGE ASSOCIATION
JANE SMITH, EAST SHORE SCHROON LAKE ASSOCIATION
BILL MCGHIE, EAST SHORE SCHROON LAKE ASSOCIATION
RONALD BALL, RESIDENT OF THE TOWN OF QUEENSBURY
DON LEHMAN, *THE POST STAR*
THOM RANDALL, *ADIRONDACK JOURNAL*
TONY HALL, *LAKE GEORGE MIRROR*
CHARLENE DiRESTA, SR. LEGISLATIVE OFFICE SPECIALIST

Mr. Dickinson called the Invasive Species Sub-Committee meeting of the to order at 9:31 a.m.

Mr. Dickinson welcomed Matthew Simpson, Supervisor for the Town of Horicon; John Strough, Supervisor for the Town of Queensbury; and Douglas Beaty, Supervisor-at-Large for the Town of Queensbury, as the newest members of the Committee.

Motion was made by Mr. Monroe, seconded by Mrs. Frasier and carried unanimously to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

Copies of the agenda were distributed to the Committee members; *a copy of the agenda is on file with the minutes.*

Mr. Dickinson reminded the Committee members that last year Dave Decker, Executive Director of the Lake George Watershed Coalition (LGWC), had requested Warren County act as the sponsor for a Consolidated Funding Application for the necessary funding to mitigate and prevent invasive species in Lake George. He added a resolution had been presented (Resolution No. 454 of 2013, adopted at the August 16, 2013 Board Meeting) authorizing the submission of the grant application which had a 50/50 matching funds requirement. He announced grant funding had been awarded in the amount of \$482,050 and they could commence spending monies upon notification of the grant award. He admitted there had been difficulties in working out the details pertaining to the mandatory boat inspection/wash program. He explained that Dave Wick, Executive Director of the Lake George Park Commission, was under pressure to have the program operational for the Spring of 2014. He

explained Mr. Wick had requested the County advance the LGPC \$200,000 in order to commence the program and he noted the \$200,000 would count towards the required local matching funds. Pertaining to the matching funds requirement, Mr. Dickinson commented that funds contributed by the individual Towns and organizations towards the mandatory boat inspection/wash program would qualify.

Martin Auffredou, County Attorney, said the Committee would benefit from an explanation of the grant process and eligible expenses from Mr. Wick. He stated Mr. Wick was requesting the County to advance \$200,000 of matching funds for Task #6 of the grant application and he explained Task #6 was for the purchase of five boat washing stations and expenses relating to the implementation of the program. He added \$100,000 was for the purchase of five boat washing stations and the other \$100,000 was for the related expenses which would be paid to the Village of Lake George pursuant to an executed Memorandum of Agreement for related implementation costs for the boat washing program.

Mr. Wick explained the LGWC had submitted three separate grant applications, one of which was awarded \$482,050. He advised the purpose of the grant application had been to fund efforts towards invasive species prevention and control. He noted the Environmental Impact Statement had estimated there would be approximately \$300,000 of up-front costs towards the implementation of the mandatory boat inspection/wash program. He added approximately \$100,000 had been raised through contributions from the individual municipalities and an additional \$200,000 was needed in order to implement the program by the Spring of 2014. He said they needed the additional boat wash stations, to complete some site work at the individual locations and to purchase some additional equipment.

Mr. Wick apprised the grant funding would cover the cost of the aforementioned stations, site work and equipment; however, he added, the funds would not be issued in a timely manner to allow implementation of the program by Spring. He commented the LGWC had been established in 2000 and had received State grant funding annually for improvements on Lake George. He stated there had never been an issue with meeting the local match requirement for grant funding because all of the expenditures were eligible for reimbursement. He mentioned that any municipal expenditure towards invasive species prevention and control would be eligible for reimbursement and any contribution from the municipalities would be eligible as local matching funds. He stated by the end of 2014, they would have more than exceeded the 50% local match requirement.

Mr. Wick explained the grant funds would come from the State and would be funneled through the County then reimbursed back to the County. He suggested the Committee could approve a resolution which would be contingent upon verification from the State that a contract would be forthcoming. He announced the Commissioners of the LGPC would vote on the final regulations of the mandatory boat inspection/wash program on January 28, 2014 and the program was anticipated to commence on May 15, 2014. He advised there was sufficient time to implement the program but they needed funds to reimburse the contractors in order for the work to continue.

Mr. Merlino asked if the smaller Towns which were not on Lake George would have an opportunity to receive some of the grant funds and Mr. Wick responded the grant application had been strictly limited to Lake George. Mr. Geraghty noted the Consolidated Funding Application had included Warren, Washington and Essex Counties and he asked if all three Counties would contribute towards the local match requirement. Mr. Wick replied the application had been submitted with Warren County as the applicant but the program would be Lake-wide. He explained Warren County had applied for the grant on behalf of the LGWC, which included three Counties, nine Towns and the

non-profit organizations for Lake George. He commented the two applications which did not receive funding had been for the Town of Lake George and the Village of Lake George. Mr. Dickinson mentioned the boat wash stations would be placed at various locations around Lake George, many of which would be in Essex and Washington Counties.

Mr. Thomas commented the County could potentially be waiting for State reimbursement well into 2015. Mr. Wick replied generally the reimbursement payments and the final 10% retainer were processed quickly. Mr. Thomas responded timely payments were not always received from the State. Mr. Conover agreed that funds expended towards the end of 2014 might not receive reimbursement until 2015. He mentioned that each of the municipalities within the LGWC contributed towards the efforts, although not equally. Within Warren County, he continued, the Towns of Hague, Queensbury, Bolton and Lake George were all actively contributing to the LGWC.

Mr. Monroe opined the sales tax revenue generated by Warren County far exceeded that generated by Essex and Washington Counties, as a result of tourism on Lake George. He noted Essex and Washington Counties had slowly started to support the mandatory boat inspection/wash program and they had both adopted an invasive species transport law. He stated Warren County had the most at stake and were the logical entity to take the lead on the grant application.

Mr. Strough asked if he was correct in understanding that the Fund for Lake George and the Lake George Association would provide most of the local match requirement. Mr. Conover replied the Fund for Lake George would contribute both in-kind services and funds towards the local match. He added the entire operation of the Lake George Association was eligible as a local match. He commented that funds contributed to the LGWC from other municipalities also qualified as an eligible local match. Mr. Strough asked if the required matching funds had already been accounted for and Mr. Conover replied affirmatively.

Mr. Geraghty asked the responsible entity for submitting for reimbursement and Mr. Auffredou replied that Warren County was the grantee of the grant which had been awarded by the Secretary of State. Mr. Auffredou informed of an award letter from the Secretary of State dated January 9, 2014. He explained the boat wash stations would actually be purchased by the County according to the County Purchasing Policy. He noted the boat wash stations were clearly eligible expenses under the terms of the grant. He stated the question before this Committee was whether the County was willing to advance the funds prior to the agreement contract with the State being executed. He noted there currently was no legally binding contract in place although the grant had been awarded. He commented that from the legal perspective if there was no contract there was no binding agreement. He said he had hoped to receive a letter from the Department of State authorizing the expenditure of the funds prior to the signing of the contract. Mr. Auffredou said Mr. Wick had informed that the process would involve the issuing of such a letter but none had been received yet. He explained that even though the County would essentially be advancing the funds to themselves, they needed reasonable assurances the grant funding would be forthcoming. He informed he had discussed the possibility of a contingent resolution with Mr. Wick which would authorize the expenditure prior to execution of the contract contingent upon the receipt of correspondence from the State indicating the expenditure would be eligible for reimbursement. He advised he would be comfortable with a contingent resolution if that was the desire of the Committee but he felt it was important that the County receive some assurance the expenditures would be eligible for reimbursement. Mr. Conover informed that all of the paperwork for the grant administration would be prepared by the LGWC to be executed by the County.

Motion was made by Mr. Monroe and seconded by Mr. Conover to approve the request for a resolution authorizing the expenditure of \$200,000 towards the matching funds requirement of the

Consolidated Grant Application, prior to execution of the agreement contingent upon correspondence from the State verifying that the expenditure would be eligible for reimbursement and to forward same to the Finance Committee.

Michael Swan, County Treasurer, requested copies of all vouchers submitted to the State and Mr. Auffredou suggested the vouchers should be submitted to the County Treasurer's Office for review prior to submission to the State. Mr. Decker informed the reimbursement vouchers required the signature of the designated representative of the grantee, which was Warren County.

Mr. Auffredou clarified the motion would be a referral to the Finance Committee recommending a resolution authorizing the purchase of five boat washing stations at a cost of \$100,000 and the advancement of \$100,000 to the Village of Lake George for administrative expenses related to the implementation of a mandatory boat inspection/wash program, contingent upon the receipt of correspondence from the State indicating that these expenditures would be eligible for reimbursement under the grant, prior to the contract execution.

Ronald Ball, Resident of the Town of Queensbury, voiced his opinion that boat washing was a waste of money. He said Asian Clams settled in and stayed in the sand. He advised that he stored his boat at Marine Village which contained numerous Asian Clams. He apprised the bottom of the boat would need to touch the bottom of the Lake in order for the Asian Clams to attach. Mr. Dickinson interjected that there would be several more meetings pertaining to the mandatory boat inspection/wash program but today's meeting pertained to the aforementioned grant award. He invited Mr. Ball's attendance at future Invasive Species Sub-Committee meetings. Mr. Ball mentioned Asian Clams attached themselves to the anchors of boats. He added that some boats had in excess of 100 feet of chain attached to the anchor. He advised there was no way to pressure wash the anchor box or anchor itself and effectively remove all Asian Clams.

Mr. Dickinson called the question and the motion was carried unanimously to refer to the Finance Committee the recommendation for a resolution authorizing the purchase of five boat washing stations at a cost of \$100,000 and the advancement of \$100,000 to the Village of Lake George for administrative expenses related to the implementation of a mandatory boat inspection/wash program, contingent upon the receipt of correspondence from the State indicating that these expenditures would be eligible for reimbursement under the grant, prior to the contract execution.

Mr. Dickinson noted there was one pending item which he would like to table until the next Committee meeting.

Mr. Dickinson recognized Mr. Decker as the person responsible for the submission of the Consolidated Funding Application and the receipt of grant funding in the amount of \$482,050. He thanked Mr. Decker for his efforts and for his ongoing concern for Lake George.

As there was no further business to come before the Invasive Species Sub-Committee, on motion made by Mrs. Frasier and seconded by Mr. Conover, Mr. Dickinson adjourned the meeting at 10:02 a.m.

Respectfully submitted,
Charlene DiResta, Sr. Legislative Office Specialist